

Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

COMMODITY FUTURES TRADING COMMISSION
(1) FEDERAL ADVISORY COMMITTEE NAME <i>State the legal name of the FAC</i>
Agricultural Advisory Committee ("Committee")
(2) AUTHORITY <i>Identify the authority for establishing the FAC</i>
Agency authority.
(3) MISSION/FUNCTION <i>Describe the mission/function of the FAC</i>
<p>The purpose of the Committee is to advise the Commodity Futures Trading Commission ("Commission") on matters relating to the Commission's regulation of agricultural commodity markets. In some instances the agency requests the Committee as a whole to provide advice on a particular issue. In other instances the Committee provides a forum in which individual members provide the Commission with advice based on their expertise, the perspective of an organization or interest that they represent, or both. In addition to its primary function of providing advice to the Commission, the Committee serves as a vehicle for communication between the Commission and major agricultural and agriculture-related interests and for the airing of issues of mutual concern to the Commission and such interests.</p>
(4) POINTS OF VIEW <i>Based on understanding the purpose of the FAC,</i> <i>(a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;</i> <i>(b) consider identifying an anticipated relative distribution of candidates across the categories; and</i> <i>(c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members</i>
<p>The Commission seeks to identify groups or organizations that reflect a balanced and representative sample of major agricultural and agriculture-related interests affected by the Commission's regulatory activities. Individuals representing these organizations serve as members of the Committee. They represent the communication channel between the Commission and major agricultural and agriculture-related interests. The precise mix of interests represented may vary over time based on market developments and changes in the legal and regulatory environment.</p> <p>It is expected that the Committee will have between 30 and 40 members, representing 5 main interests: (i) agricultural producers; (ii) direct and indirect users/consumers of agricultural products; (iii) providers of agricultural credit; (iv) derivatives intermediaries and exchanges; and (v) regulators. A majority of members will represent the first group, reflecting the diversity of agricultural producer interests and the specialized issues that arise in connection with particular agricultural commodities. Groups (ii) through (iv) are expected to have an approximately equal number of members. Group (v) is expected to have slightly fewer members.</p> <p>Members of the Committee are generally appointed as representatives because the primary purposes of the Committee are to provide the Commission with the perspectives of the major interests affected by Commission regulatory activities in the agricultural field and to serve as a vehicle for communication between the Commission and major agricultural and agriculture-related</p>

interests and for the airing of issues of mutual concern to the Commission and such interests.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC

The Commission may appoint members other than those described in section (4) where doing so is useful to advance the purposes of the Committee. These members may potentially include regular or special government employees as well as representatives. At the present time, the Commission usually appoints an official of the US Department of Agriculture to serve on the committee. The relevant individual serves on the Committee as a regular government employee. A member may be appointed as a special government employee due to his or her unique expertise in the relevant area, and/or the exigencies of the market situation at the time of the appointment.

(6) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable*

The Commission identifies organizations to be represented on the Committee based on commissioners' and CFTC staff professional knowledge of agricultural markets, consultation with knowledgeable persons outside the CFTC, and requests to be represented received from organizations. The office of the CFTC commissioner primarily responsible for the Committee plays a primary, but not exclusive, role in this process; and makes recommendations regarding membership to the Commission. The Commission, by vote, authorizes specified organizations to designate an individual to represent the organization on the Committee. Particular individuals may also be appointed to serve on the Committee by Commission vote.

If there is any membership vacancy, the Commission will evaluate whether a replacement is needed to maintain a fairly balanced membership or otherwise to facilitate the work of the Committee. If the Commission so determines, it will seek to make a replacement appointment, using the same procedures and with the same considerations as for other appointments.

There are no fixed term limits for Committee members unless the Commission specifies a limit in an order appointing a particular member or authorizing a particular organization to designate a member to represent it.

(7) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

Not applicable. Subcommittees of the Agricultural Advisory Committee report to the full Committee and not directly to the Commission. As a result, they are not subject to FACA requirements. However, the Commission seeks to ensure that the membership of subcommittees is balanced relative to the particular issues addressed by the subcommittee in question.

(8) OTHER

Provide any additional information that supports the balance of the FAC

N/A

(9) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated

March 2011.